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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,572	12/20/2001	Dinesh Kashinath Anvekar	P00049	9985

7590 03/15/2005
John T. Peoples
14 Blue Jay Court
Warren, NJ 07059

EXAMINER

ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER

2683

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,572

Applicant(s)

ANVEKAR ET AL.

Examiner

Meless N Zewdu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 10/28/04.
2. Claims 1-19 are pending in this action.
3. This action is final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Alperovich et al. (Alperovich) (WO 99/57927).

As per claim 19: a system for initiating a teleconference via a short message service (SMS) message comprising:

means for embedding teleconference field in the SMS message by the initiator of the teleconference reads on '927 (see abstract; figs. 2 and 3; page 3, lines 1-20; page 4, line 12-page 5, line 6; page 5, line 28-page 6, line 24).

teleconference bridge for establishing the teleconference based upon information in the teleconference field reads on '927 (see abstract; page 3, lines 1-20; page 4, line 12-page 5, line 6; page 5, line 28-page 6, line 24).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich in view of Lehto et al. (Lehto) (US 2002/0177455 A1).

As per claim 1: a method for processing a short message service (SMS) message comprising:

embedding a value-added field in the SMS message by the originator of the SMS message, the directive being indicative of a value-added service requested by the originator reads on '927 (abstract).

Instantiating the value-added service reads on reads on '927 (see page 3, lines 1-20). But, Alperovich does not explicitly teach about instantiating a value added service from the combination of the field supplied by the originator, as claimed by applicant. However, in a related field of endeavor, Lehto teaches about a SMS extension data for a 'funny', wherein a value added data is inserted into an existing SMS structure and exchanged between a sending and receiving terminal (see entire document; particularly, page 1, paragraph 0008-page 2, paragraph 0012; page 4, paragraphs 0045-0050; claims) and the funny data (value added data) is provided a

storage medium (see page 4, paragraph 0047); see, also (figs. 2, 3B; and 4). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Alperovich with the teaching of Lehto for the advantage of providing new value-added features to the existing SMS messaging infrastructure without losing backward compatibilities (see page 2, paragraph 0012).

As per claim 2: the method wherein the instantiating includes generating a value-added SMS message based upon the value-added service reads on '927 (see abstract).

As per claim 3: the method further including recording information about the value-added service reads on '927 (see abstract).

As per claim 4: the method wherein the SMS message includes a destination and the instantiating includes modifying the SMS message in accordance with the value-added service and then sending the modified message to the destination reads on '927 (see abstract; page 3, lines 1-20; page 6, lines 3-12). The gateway modifies the SMS when it unpacks the header contained in the SMS.

As per claim 5: the method wherein the originator is identified by a member identifier, the field associates the member identifier with information about the member stored in the database, and instantiating includes substituting information about the member into the SMS message based upon the field and with reference to the database reads on '927 (see abstract; fig. 2; page 2, line 27-page 3, line 31; page 4, line 12-page 5, line 6; page 6, lines 3-24).

As per claim 6: the method wherein the field relates to a teleconferencing and includes telephone numbers or member identifiers of participants and further including initiating a

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teleconference call to each of the participant reads on '927 (see abstract; page 4, line 25-page 5, line 7; page 6, lines 3-24).

As per claim 7: a method for processing a short message service (SMS) message comprising:

embedding a value-added field in the SMS message by the originator of the SMS message, the directive being indicative of a value-added service requested by the originator reads on "927 (abstract).

processing the field reads on '927 (see fig. 2; abstract; page 3, lines 1-20).

implementing the value-added service based upon the field in the SMS message reads on reads on '927 (see page 3, lines 1-20). But, Alperovich does not explicitly teach about instantiating a value added service from the combination of the field as supplied by the originator and originator –specific data pre-stored in an originator database and processing the field to instantiate the value-added service, as claimed by applicant. However, in a related field of endeavor, Lehto teaches about a SMS extension data for a 'funny', wherein a value added data is inserted into an existing SMS structure and exchanged between a sending and receiving terminal (see entire document; particularly, page 1, paragraph 0008-page 2, paragraph 0012; page 2, paragraph 0018; page 4, paragraphs 0045-0050; claims) and the funny data (value added data) is provided a storage medium (see page 4, paragraph 0047); see, also (figs. 2, 3B; and 4). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Alperovich with the teaching of Lehto for the advantage of providing new value-added features to the

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existing SMS messaging infrastructure without losing backward compatibilities (see page 2, paragraph 0012).

As per claim 8: the method wherein the processing includes extracting the field from the SMS message and converting the field into format suitable for efficient processing reads on '927 (see abstract; page 6, lines 3-24).

As per claim 9: the method further including recording information about the value-added service reads on '927 (see abstract).

As per claim 10: the method wherein the SMS message includes a destination and the implementing includes modifying the SMS message in accordance with the value-added service and then sending the modified SMS message to the destination reads on '927 (see abstract; page 3, lines 1-20; page 6, lines 3-32).

As per claim 11: the method wherein the originator is identified by a member identifier, the field associates the member identifier with information about the member stored in the database, and implementing includes substituting information about the member into the SMS message based upon the field and with reference to the database reads on '927 (see abstract; fig. 2; page 2, line 27-page 3, line 31; page 4, line 12-page 5, line 6; page 6, lines 3-24).

As per claim 12: the feature of claim 12 is similar to the feature of claim 6. Hence, claim 12 is rejected on the same ground as claim 6.

As per claim 13: the method wherein the field is a tele-message and includes information relating to a destination and an appointed time of the tele-message and implementing includes sending the tele-message to the destination at the appointed

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time reads on '927 (see page 4, line 25-page 5, line 6; page 13, lines 9-12). The prior art discloses that other information can be included in the header. So, time or other information need could have been added into the broadcasting SMS message of the prior art.

As per claim 14: the features of claim 14 are similar to the features of claim 1. Hence, claim 14 is rejected on the same ground and motivation as claim 1.

As per claim 15: the features of claim 14 are similar to the features of claim 1. The only difference between claims 1 and 14 is that the first is a method claim and the later a system which is provided by (figs. 2-3) of the prior art. Hence, claim 14 is rejected on the same ground as claim 1.

As per claim 16: a system for delivering a short message service (SMS) message transmitted over a channel and having an embedded value-added directive (see abstract), the system comprising:

an input gateway for detecting the SMS message on the channel reads on '927 (see page 3, lines 8-10).

a format converter, responsive to the gateway, for extracting the field and for re-formatting the field reads on '927 (see abstract; page 4, lines 12-20; page 6, lines 3-24). The prior art's SMS service is from point-to-point which inherently has to have several formatting and reformatting depending upon the path to be crisscrossed.

a processor, responsive to the format converter, for performing specialized value-added data processing functions to modify the SMS message based upon the value-

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added field reads on '927 (see abstract; figs. 2 and 3; page 2, line 27-page 3, line 20; page 5, line 28page 6, line 24).

an output gateway, responsive to the SMS processor, for converting the modified SMS message to a form suitable for delivery and for transmitting the modified SMS message onto the channel reads on '927 9see abstract, fig. 2; page 2, line 27-page 3, line 29). It is inherent for a gateway to change/convert protocols from one standard to another. It is for this purpose (protocol exchange) that gateways are placed in between de-similar networks. But, Alperovich does not explicitly teach about a database for pre-storing data associated with an originator of the SMS message, as claimed by applicant. However, Lehto teaches about SMS extension wherein a value added service (funny picture message) is/are concatenated within an SMS including non-volatile memory for one or more extended SMS messages (such as funnies) (see page 4, paragraph 0047). Thereore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Alperovich with that of Lehto for the advantage of providing new value-added features to the existing SMS messaging infrastructure without losing backward compatibilities (see page 2, paragraph 0012).

As per claim 17: the system wherein the processor includes a SMS processor for adding routing information to the SMS message reads on '927 (see abstract; page 5, line 28-page 6, line 12).

As per claim 18: the system wherein the processor includes a memory for recording information about value-added data processing functions performed reads on '927 (see abstract; figs. 2 and 3; page 10, lines 12-27).

Response to Arguments

Applicant's arguments, regarding claim 19, filed 10/28 have been fully considered but they are not persuasive. Applicant's argument/s and examiner's response/s follow as shown herein-below.

Argument I: with respect to claim 19, applicant asserts Alperovich does not teach or suggest anything related to teleconference method.

Response I: examiner respectfully disagrees with the argument. In that alperovich discloses "system and method for delivery of short message service messages to a restricted group of subscribers" wherein the short message includes additional information for the intended recipient. The question of whether the additional message is used for teleconference or other purpose, for that matter, is an intended use of the additional information.

Although a new ground of rejection is provided, regarding claims 1-18, examiner saw a need to address some of the questions raised by applicant.

1. Applicant asserts that Alperovich deals with new "header" information pre-pended to a standard SMS message at the transmitter. ---- while "the applicants deal with SMS message only (i.e. header information is of no consequence) --- and the receiver is standard, that is it does not require any new application.

2. Examiner submits that these assertions are made without a clear basis on what was or is claimed. In other words, the claims do not include features directed to a

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receiver being standard or non-standard; they do not exclude alperovich's header; and they do not exclude the requirement of a new application, as applicant/s tend to argue.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

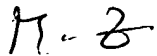
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

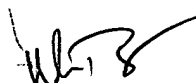
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu



Examiner

07 March 2005.



WILLIAM TROST
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